

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:14-cv-00425-TSC**

CALDERON v. UNITED STATES DEPARTMENT OF
AGRICULTURE

Assigned to: Judge Tanya S. Chutkan

Case in other court: 17-05088

Cause: 05:552 Freedom of Information Act

Date Filed: 03/18/2014

Date Terminated: 10/03/2019

Jury Demand: None

Nature of Suit: 895 Freedom of
Information Act

Jurisdiction: U.S. Government Defendant

Plaintiff

PABLO CALDERON

represented by **Douglas Bennett Sanders**
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V.

Defendant

**UNITED STATES DEPARTMENT
OF AGRICULTURE**

Foreign Agricultural Service

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TERMINATED: 08/22/2014

Date Filed	#	Docket Text
03/18/2014	<u>1</u>	COMPLAINT <i>for Injunctive and Declaratory Relief</i> against UNITED STATES DEPARTMENT OF AGRICULTURE – <i>Foreign Agricultural Service</i> (Filing fee \$ 400 receipt number 0090-3654563) filed by PABLO CALDERON. (Attachments: # <u>1</u>

		Civil Cover Sheet, # <u>2</u> Summons US Department of Agriculture, Foreign Agricultural Service, # <u>3</u> Summons US Attorney General, # <u>4</u> Summons US Attorney for the District of Columbia, # <u>5</u> Exhibit 1, # <u>6</u> Exhibit 2, # <u>7</u> Exhibit 3, # <u>8</u> Exhibit 4, # <u>9</u> Exhibit 5, # <u>10</u> Exhibit 6, # <u>11</u> Exhibit 7, # <u>12</u> Exhibit 8, # <u>13</u> Exhibit 9, # <u>14</u> Exhibit 10, # <u>15</u> Exhibit 11, # <u>16</u> Exhibit 12, # <u>17</u> Exhibit 13, # <u>18</u> Exhibit 14, # <u>19</u> Exhibit 15, # <u>20</u> Exhibit 16, # <u>21</u> Exhibit 17, # <u>22</u> Exhibit 18)(Chasin, Steven) (Entered: 03/18/2014)
03/18/2014		Case Assigned to Judge Ellen S. Huvelle. (md,) (Entered: 03/18/2014)
03/18/2014	<u>2</u>	ELECTRONIC SUMMONS (3) ISSUED as to UNITED STATES DEPARTMENT OF AGRICULTURE, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Summons 2nd, # <u>2</u> Summons 3rd, # <u>3</u> Notice of Consent, # <u>4</u> Consent Form)(md,) (Entered: 03/18/2014)
05/22/2014	<u>3</u>	AMENDED COMPLAINT against UNITED STATES DEPARTMENT OF AGRICULTURE filed by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2, # <u>3</u> Exhibit 3, # <u>4</u> Exhibit 4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 8, # <u>9</u> Exhibit 9, # <u>10</u> Exhibit 10, # <u>11</u> Exhibit 11, # <u>12</u> Exhibit 12, # <u>13</u> Exhibit 13, # <u>14</u> Exhibit 14, # <u>15</u> Exhibit 15, # <u>16</u> Exhibit 16, # <u>17</u> Exhibit 17, # <u>18</u> Exhibit 18, # <u>19</u> Exhibit 19, # <u>20</u> Exhibit 20)(Chasin, Steven) (Entered: 05/22/2014)
05/29/2014	<u>4</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 5/23/2014. Answer due for ALL FEDERAL DEFENDANTS by 6/22/2014. (Chasin, Steven) (Entered: 05/29/2014)
06/04/2014	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General May 27, 2014. (Attachments: # <u>1</u> Exhibit Certified Mail Receipt)(Chasin, Steven) (Entered: 06/04/2014)
06/04/2014	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. UNITED STATES DEPARTMENT OF AGRICULTURE served on 5/27/2014 (Attachments: # <u>1</u> Exhibit Certified Mail Receipt)(Chasin, Steven) (Entered: 06/04/2014)
06/04/2014	<u>7</u>	MOTION for Leave to Appear Pro Hac Vice :Attorney Name– Douglas B. Sanders, :Firm– Baker & McKenzie LLP, :Address– 300 East Randolph Street, Suite 5000, Chicago, Illinois 60601. Phone No. – (312) 861–8075. Fax No. – (312) 698 2375 by PABLO CALDERON (Attachments: # <u>1</u> Declaration of Douglas B. Sanders in Support of Motion for Admission Pro Hac Vice, # <u>2</u> Text of Proposed Order)(Chasin, Steven) (Entered: 06/04/2014)
06/04/2014		MINUTE ORDER granting <u>7</u> Motion for Leave to Appear Pro Hac Vice: UPON CONSIDERATION of the Motion for Admission of Douglas B. Sanders Pro Hac Vice in the above–captioned matter and the Declaration of Douglas B. Sanders in support thereof, it is hereby ORDERED that the Motion for Admission of Douglas B. Sanders Pro Hac Vice be, and the same hereby is, GRANTED; and it is further ORDERED that Douglas B. Sanders be allowed to appear pro hac vice in court proceedings in the above–captioned matter. Signed by Judge Ellen S. Huvelle on June 4, 2014. (AG) (Entered: 06/04/2014)
06/06/2014		Case reassigned to Judge Tanya S. Chutkan. Judge Ellen S. Huvelle no longer assigned to the case. (ztnr,) (Entered: 06/06/2014)
06/06/2014		Case directly reassigned to Judge Ellen S. Huvelle, as this case was assigned to Judge Chutkan in error. Judge Tanya S. Chutkan no longer assigned to the case. (gt,) (Entered: 06/06/2014)
06/09/2014		Case reassigned to Judge Tanya S. Chutkan. Judge Ellen S. Huvelle no longer assigned to the case. (ztnr,) (Entered: 06/09/2014)
06/20/2014	<u>8</u>	Unopposed MOTION for Extension of Time to <i>Respond to Plaintiff's First Amended Complaint</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Attachments: # <u>1</u> Text of Proposed Order)(Guzman, Javier) (Entered: 06/20/2014)

06/23/2014		MINUTE ORDER: Defendant's motion <u>8</u> for an extension of time to respond to Plaintiff's First Amended Complaint <u>3</u> is hereby granted. Defendant shall answer or otherwise respond not later than July 11, 2014. Signed by Judge Ellen S. Huvelle on 6/23/14. (lctsc1) (Entered: 06/23/2014)
06/24/2014		Reset Deadlines: Answer due by 7/11/2014, (tj) (Entered: 06/24/2014)
07/11/2014	<u>2</u>	ANSWER to <u>3</u> Amended Complaint, by UNITED STATES DEPARTMENT OF AGRICULTURE. Related document: <u>3</u> Amended Complaint, filed by PABLO CALDERON.(Guzman, Javier) (Entered: 07/11/2014)
07/31/2014		MINUTE ORDER: Before the Court in this FOIA case are a complaint and an answer. The requirements of LCvR 16.3 and Rule 26(f) of the Federal Rules of Civil procedure appear to be inapplicable. IT IS HEREBY ORDERED that the parties shall meet and confer and propose a schedule for proceeding in this matter. The schedule should address the status of Plaintiff's FOIA request, the anticipated number of documents responsive to Plaintiff's FOIA request, the anticipated date(s) for release of the documents requested by Plaintiff, whether a motion for an Open America stay is likely in this case, whether a Vaughn index will be required in this case, whether and when either party anticipates filing a dispositive motion, and any other pertinent issues. The parties shall file a joint status report that addresses these issues and that contains a proposed schedule and order not later than August 13, 2014. Signed by Judge Tanya S. Chutkan on 7/13/14. (lctsc1,) (Entered: 07/31/2014)
08/05/2014		Reset Deadlines: Meet & Confer Statement due by 8/13/2014; Status Report due by 8/13/2014. (tj) (Entered: 08/05/2014)
08/13/2014	<u>10</u>	STATUS REPORT – <i>Joint</i> by PABLO CALDERON. (Chasin, Steven) (Entered: 08/13/2014)
08/19/2014		MINUTE ORDER: In light of the Status Report <u>10</u> filed by the parties requesting a conference to resolve disputes regarding how this case should proceed, a Status Conference is hereby set for 9/18/14, 2014 at 10:30 a.m in Courtroom 2. Status Conference set for 9/18/2014 10:30 AM in Courtroom 2 before Judge Tanya S. Chutkan. Signed by Judge Tanya S. Chutkan on 8/19/14. (DJS,) (Entered: 08/19/2014)
08/22/2014	<u>11</u>	NOTICE OF SUBSTITUTION OF COUNSEL by John Cuong Truong on behalf of UNITED STATES DEPARTMENT OF AGRICULTURE Substituting for attorney Javier Guzman (Truong, John) (Entered: 08/22/2014)
09/18/2014		Minute Entry for proceedings held before Judge Tanya S. Chutkan; Status Conference held on 9/18/2014. Parties are to submit a joint order and a proposed scheduling order. (Court Reporter Vicki Eastvold) (sm) (Entered: 09/18/2014)
09/19/2014	<u>12</u>	TRANSCRIPT OF STATUS CONFERENCE before Judge Tanya S. Chutkan held on 9/18/2014; Page Numbers: 1–25. Date of Issuance: 9/19/2014. Court Reporter Vicki Eastvold, Telephone number 202–354–3242, Court Reporter Email Address : vickieastvold@yahoo.com. For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter. NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at ww.dcd.uscourts.gov. Redaction Request due 10/10/2014. Redacted Transcript Deadline set for 10/20/2014. Release of Transcript Restriction set for 12/18/2014.(Eastvold, Vicki) (Entered: 09/19/2014)
10/02/2014		MINUTE ORDER: The parties were instructed at the Status Conference held on 9/18/14 to submit a joint proposed scheduling order and have not done so. The parties are therefore ordered to submit a joint proposed scheduling order in accordance with the Court's rulings at the 9/18/14 Status Conference by October 10, 2014. Signed by Judge Tanya S. Chutkan on 10/2/2014. (lctsc2) (Entered: 10/02/2014)

10/03/2014		Set/Reset Deadlines: Proposed Joint Scheduling Order due by 10/10/2014. (zsm) (Entered: 10/03/2014)
10/10/2014	<u>13</u>	STATUS REPORT (<i>JOINT</i>) AND <i>PROPOSED ORDER</i> by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Exhibit E)(Chasin, Steven) (Entered: 10/10/2014)
10/14/2014	<u>14</u>	SCHEDULING AND CASE MANAGEMENT ORDER. If Defendant fails to meet the October 31, 2014 deadline for production of documents, Defendant must submit a status report in accordance with the instructions in the attached Order by November 3, 2014. Status Report due by 11/19/2014 Summary Judgment motions due by 11/19/2014. Response to Motion for Summary Judgment due by 12/5/2014. Reply to Motion for Summary Judgment due by 12/12/2014. Signed by Judge Tanya S. Chutkan on 10/14/2014. (lctsc2) (Entered: 10/14/2014)
11/03/2014	<u>15</u>	STATUS REPORT by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 11/03/2014)
11/19/2014	<u>16</u>	STATUS REPORT – <i>Joint</i> by PABLO CALDERON. (Chasin, Steven) (Entered: 11/19/2014)
11/20/2014		MINUTE ORDER: Having considered the parties' Joint Status Report <u>16</u> , it is hereby ordered that the parties shall file a joint status report by December 10, 2014. Signed by Judge Tanya S. Chutkan on 11/20/14. (DJS) (Entered: 11/20/2014)
11/20/2014		Set/Reset Deadlines: Joint Status Report due by 12/10/2014. (sm) (Entered: 11/20/2014)
12/10/2014	<u>17</u>	STATUS REPORT – <i>Joint</i> by PABLO CALDERON. (Chasin, Steven) (Entered: 12/10/2014)
01/14/2015	<u>18</u>	Consent MOTION for Extension of Time to <i>Complete and Produce Vaughn Index</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 01/14/2015)
01/15/2015		MINUTE ORDER: Granting <u>18</u> Unopposed Motion for Extension of Time to Produce Vaughn Index. Defendant shall have up to and including January 21, 2015, to complete and provide the Vaughn Index to Plaintiff. It is further ordered that the parties shall file a jointly proposed schedule for moving forward with this case not later than 1/30/15. The parties shall also submit a proposed order not later than 1/30/15. Signed by Judge Tanya S. Chutkan on 1/15/15. (DJS) (Entered: 01/15/2015)
01/15/2015		Set/Reset Deadlines: Vaughn Index due by 1/21/2015. Joint Proposed Schedule and Proposed Order due by 1/30/2015. (sm) (Entered: 01/15/2015)
01/30/2015	<u>19</u>	MOTION for Extension of Time to <i>Submit Joint Proposed Briefing Schedule</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 01/30/2015)
01/31/2015		MINUTE ORDER: Granting <u>19</u> Motion for Extension of Time to Submit Jointly Proposed Briefing Schedule. Proposed Briefing Schedule due 2/3/15. Signed by Judge Tanya S. Chutkan on 1/31/15. (DJS) (Entered: 01/31/2015)
02/02/2015		Set/Reset Deadlines: Jointly Proposed Briefing Schedule due by 2/3/2015. (sm) (Entered: 02/02/2015)
02/03/2015	<u>20</u>	STATUS REPORT – <i>Joint Proposed Schedule</i> by PABLO CALDERON. (Attachments: # <u>1</u> Text of Proposed Order [Proposed] Scheduling Order for Motions for Summary Judgment)(Chasin, Steven) (Entered: 02/03/2015)
02/25/2015		MINUTE ORDER: Per the parties' proposed [20–1] scheduling order, the following deadlines shall apply: Plaintiff must send Defendant a list of the subset of redacted documents Plaintiff proposes for use in cross–motions for summary judgment by March 3, 2015. The parties must agree on the proposed subset of documents by April 3, 2015, and may file them with the Court at that time. Summary judgment motions due by May 5, 2015. Oppositions due by May 28, 2015. Replies due by June 11, 2015. Signed by Judge Tanya S. Chutkan on 2/25/2015. (lctsc2) (Entered: 02/25/2015)

02/25/2015		Set/Reset Deadlines: Redacted Document List due by 4/3/2015. Summary Judgment motions due by 5/5/2015. Response to Motion for Summary Judgment due by 5/28/2015. Reply to Motion for Summary Judgment due by 6/11/2015. (sm) (Entered: 02/25/2015)
03/31/2015	<u>21</u>	Consent MOTION to Modify <i>In Part The Court's February 25, 2015 Scheduling Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 03/31/2015)
04/01/2015		MINUTE ORDER: Granting <u>21</u> Consent Motion to Modify Schedule. The parties shall have up to and including April 17, 2015, to submit a proposed subset of documents to serve as exemplar for summary judgment purposes. ALL OTHER DEADLINES set forth in the February 25, 2015 Scheduling Order SHALL REMAIN UNCHANGED. Signed by Judge Tanya S. Chutkan on 4/1/15. (DJS) (Entered: 04/01/2015)
04/02/2015		Set/Reset Deadlines: Proposed exemplar due by 4/17/2015. (zsm) (Entered: 04/02/2015)
04/29/2015	<u>22</u>	Consent MOTION to Modify <i>The Court's February 25, 2015 Scheduling Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 04/29/2015)
04/30/2015		MINUTE ORDER: Granting <u>22</u> Consent Motion to Modify Scheduling Order. Defendant's motion for summary judgment due June 1, 2015. Plaintiff's response due June 16, 2015. Defendant's Reply due July 10, 2015. THE COURT WILL VIEW FURTHER REQUESTS FOR EXTENSIONS WITH DISFAVOR. Signed by Judge Tanya S. Chutkan on 4/30/15. (DJS) (Entered: 04/30/2015)
04/30/2015		Set/Reset Deadlines: Summary Judgment motion due by 6/1/2015. Response to Motion for Summary Judgment due by 6/16/2015. Reply to Motion for Summary Judgment due by 7/10/2015. (zsm) (Entered: 04/30/2015)
06/01/2015	<u>23</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF AGRICULTURE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Index of Exhibit, # <u>4</u> Affidavit of Sally Klusartiz (FAS), # <u>5</u> Exhibit 1-4, # <u>6</u> Exhibit 5, # <u>7</u> Exhibit 6, 8-10, # <u>8</u> Affidavit of Chris Nikkel (Bunge), # <u>9</u> Affidavit of Simon Brother (Bunge), # <u>10</u> Affidavit of Karla Hennessy (Cargill), # <u>11</u> Affidavit of George Del Canto (GDC), # <u>12</u> Affidavit of GSTS)(Truong, John) (Entered: 06/01/2015)
06/01/2015	<u>24</u>	MOTION for Partial Summary Judgment by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Memorandum in Support, # <u>3</u> Statement of Facts, # <u>4</u> Appendix, # <u>5</u> Exhibit Part 1 of Exhibit 1, # <u>6</u> Exhibit Part 2 of Exhibit 1, # <u>7</u> Exhibit Part 3 of Exhibit 1, # <u>8</u> Exhibit Exhibits 2-10, # <u>9</u> Exhibit Exhibits 11-15, # <u>10</u> Exhibit Exhibits 16-19)(Chasin, Steven) (Entered: 06/01/2015)
06/03/2015	<u>25</u>	Unopposed MOTION to Modify <i>April 30, 2015 Scheduling Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 06/03/2015)
06/08/2015		MINUTE ORDER: Granting <u>25</u> Motion to Modify Briefing schedule. The parties shall have up to and including July 1, 2015, to file their respective Oppositions, and July 15, 2015, to file their Replies. Signed by Judge Tanya S. Chutkan on 6/8/15. (DJS) (Entered: 06/08/2015)
06/08/2015		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 7/1/2015. Reply to Motion for Summary Judgment due by 7/15/2015. (zsm) (Entered: 06/08/2015)
06/25/2015	<u>26</u>	Unopposed MOTION to Modify <i>The Court's June 8, 2015 Scheduling Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 06/25/2015)
06/26/2015		MINUTE ORDER: Granting <u>26</u> Plaintiff's Unopposed Motion to Modify Scheduling Order. The parties shall have up to and including July 15, 2015, to file their respective Oppositions, and August 5, 2015, to file their Replies. THE COURT WILL VIEW FURTHER REQUESTS FOR EXTENSIONS OF TIME WITH DISFAVOR AND WILL GRANT SUCH REQUESTS ONLY FOR GOOD CAUSE. The parties are reminded that failure to prepare sufficiently in advance of deadlines, without more, is

		not good cause. Signed by Judge Tanya S. Chutkan on 6/26/15. (DJS) (Entered: 06/26/2015)
06/29/2015		Set/Reset Deadlines: Responses due by 7/15/2015. Replies due by 8/5/2015. (zsm) (Entered: 06/29/2015)
07/15/2015	<u>27</u>	Memorandum in opposition to re <u>24</u> MOTION for Partial Summary Judgment filed by UNITED STATES DEPARTMENT OF AGRICULTURE. (Attachments: # <u>1</u> Defendant's Response to Plaintiff's Statement of Facts, # <u>2</u> Affidavit of Sally Klusaritz (supplemental), # <u>3</u> Affidavit of Submitters (Bunge, Cargill, GDC, and GSTS), # <u>4</u> Exhibit 1–6 (Gov. Opp. Exhs))(Truong, John) (Entered: 07/15/2015)
07/15/2015	<u>28</u>	NOTICE of Govt. Opposition Exh. 7–9 (part of ECF No. 27) by UNITED STATES DEPARTMENT OF AGRICULTURE (Attachments: # <u>1</u> Exhibit 10–11 (Gov. Opp. Exhs))(Truong, John) (Entered: 07/15/2015)
07/15/2015	<u>29</u>	Memorandum in opposition to re <u>23</u> MOTION for Summary Judgment filed by PABLO CALDERON. (Attachments: # <u>1</u> Statement of Facts Plaintiff's Response to Defendant's Statement of Material Facts for which there is No Genuine Dispute and Additional Material Facts in Support of his Motion, # <u>2</u> Exhibit Exhibit 1 to Plaintiff's Additional Statement of Facts, # <u>3</u> Exhibit Exhibit 2 to Plaintiff's Additional Statement of Facts, # <u>4</u> Exhibit Exhibit 3 to Plaintiff's Additional Statement of Facts, # <u>5</u> Exhibit Exhibit 4 to Plaintiff's Additional Statement of Facts)(Chasin, Steven) (Entered: 07/15/2015)
07/16/2015		NOTICE OF ERROR re <u>28</u> Notice (Other); emailed to john.truong@usdoj.gov, cc'd 3 associated attorneys — The PDF file you docketed contained errors: 1. In the future all filings must follow filing format: caption, case #, title & body. (td,) (Entered: 07/16/2015)
07/30/2015	<u>30</u>	Consent MOTION to Modify <i>the Court's June 26, 2015 Scheduling Order and to Modify the Page Limit for Both Parties' Replies</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order Proposed Order)(Chasin, Steven) (Entered: 07/30/2015)
08/04/2015		MINUTE ORDER: Granting in part and denying in part <u>30</u> Consent Motion to Modify June 26, 2015 Scheduling Order. Plaintiff and Defendant shall have up to and including Wednesday, August 12, 2015 to file their Replies. The Motion is denied with respect to the request to increase the page limit. Signed by Judge Tanya S. Chutkan on 8/4/15. (DJS) (Entered: 08/04/2015)
08/05/2015		Set/Reset Deadlines: Replies due by 8/12/2015. (zsm) (Entered: 08/05/2015)
08/12/2015	<u>31</u>	REPLY to opposition to motion re <u>23</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF AGRICULTURE. (Attachments: # <u>1</u> Statement of Facts)(Truong, John) (Entered: 08/12/2015)
08/12/2015	<u>32</u>	REPLY to opposition to motion re <u>24</u> MOTION for Partial Summary Judgment filed by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit 1 TO MEMORANDUM IN SUPPORT, # <u>2</u> Exhibit 1 TO ADDITIONAL STATEMENT OF MATERIAL FACTS, # <u>3</u> Exhibit 2 TO ADDITIONAL STATEMENT OF MATERIAL FACTS, # <u>4</u> Exhibit 2 TO MEMORANDUM IN SUPPORT, # <u>5</u> Exhibit 3 TO MEMORANDUM IN SUPPORT)(Chasin, Steven) (Entered: 08/12/2015)
08/14/2015		MINUTE ORDER: Plaintiff's Reply <u>32</u> in support of his MOTION for Partial Summary Judgment <u>24</u> does not comply with LCvR 7(h), which does not provide for the filing of an "Additional Statement of Material Facts" accompanying a reply brief. Rather than striking Plaintiff's "Additional Statement of Material Facts" and directing Plaintiff to refile his reply brief, the Court believes that it would be in the interests of justice to order rebriefing of both parties' motions for summary judgment. In rebriefing their summary judgment motions, the parties are reminded to comply fully with LCvR 7(h), which only permits a statement of material facts as to which a moving party contends there is no genuine issue to be filed with a motion for summary judgment. Additionally, in light of the fact that the parties are seeking summary judgment on the same issue, rather than filing simultaneous cross-motions for summary judgment, (i) Defendant will first file its motion for summary judgment; (ii) Plaintiff will then file his opposition and COMBINED cross-motion for partial summary judgment; (iii)

		Defendant will then file its reply and COMBINED opposition; and (iv) Plaintiff will then file his reply. The parties are also directed to file a joint proposed briefing schedule reflecting the sequential briefing set forth above, with an accompanying proposed scheduling order, by 8/21/15. Signed by Judge Tanya S. Chutkan on 8/14/15.(lctsc2) (Entered: 08/14/2015)
08/19/2015	<u>33</u>	SEALED MOTION FOR LEAVE TO FILE DOCUMENT UNDER SEAL filed by PABLO CALDERON (This document is SEALED and only available to authorized persons.) (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Text of Proposed Order, # <u>3</u> Certificate of Service)(Chasin, Steven) (Entered: 08/19/2015)
08/21/2015	<u>34</u>	STATUS REPORT – <i>Joint</i> by PABLO CALDERON. (Attachments: # <u>1</u> Text of Proposed Order)(Chasin, Steven) (Entered: 08/21/2015)
08/21/2015		MINUTE ORDER: Per the parties' [Proposed] Scheduling Order for Motions for Summary Judgment [34–1], the following deadlines shall apply: Defendant's Motion for Summary Judgment shall be filed no later than September 3, 2015; Plaintiff's Combined Opposition and Partial Motion for Summary Judgment shall be filed no later than September 24, 2015; Defendant's Combined Opposition and Reply shall be filed no later than October 15, 2015; Plaintiff's Reply shall be filed no later than October 27, 2015. Signed by Judge Tanya S. Chutkan on 8/21/15. (lctsc2) (Entered: 08/21/2015)
08/24/2015		Set/Reset Deadlines: Summary Judgment motions due by 9/3/2015. Response to Motion for Summary Judgment due by 9/24/2015. Reply to Motion for Summary Judgment due by 10/15/2015. Reply due by 10/27/2015. (zsm) (Entered: 08/24/2015)
08/25/2015		MINUTE ORDER: Granting in part and denying in part <u>33</u> Sealed Motion for Leave to File Document Under Seal. The Clerk of the Court shall seal Document 24–6. Not later than 9/1/15 Plaintiff shall refile the Exhibits found in Document 24–6 in its entirety as a separate document with the appropriate information redacted. Signed by Judge Tanya S. Chutkan on 8/25/15. (DJS) (Entered: 08/25/2015)
08/25/2015		Set/Reset Deadlines: Exhibits due by 9/1/2015. (zsm) (Entered: 08/25/2015)
08/26/2015	<u>35</u>	REDACTED DOCUMENT– Redacted – 24–6 Part 2 of Exhibit 1 by PABLO CALDERON. (Chasin, Steven) (Entered: 08/26/2015)
09/03/2015	<u>36</u>	Unopposed MOTION for Extension of Time to <i>File Motion for Summary Judgment</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 09/03/2015)
09/04/2015	<u>37</u>	MOTION for Summary Judgment by UNITED STATES DEPARTMENT OF AGRICULTURE (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Memorandum in Support, # <u>3</u> Affidavit of Sally Klusartiz, # <u>4</u> Exhibit 1–4, # <u>5</u> Exhibit 5, # <u>6</u> Exhibit 6, 8–10, # <u>7</u> Exhibit 7, # <u>8</u> Exhibit 11 (Nikkel Declaration), # <u>9</u> Exhibit 12 (Brotherton Declaration), # <u>10</u> Exhibit 13 (Hennessy Declaration), # <u>11</u> Exhibit 14 (Del Canto Declaration), # <u>12</u> Exhibit 15 (GSTS Letter), # <u>13</u> Exhibit 16)(Truong, John) (Entered: 09/04/2015)
09/08/2015		MINUTE ORDER: Granting <u>36</u> Motion for Extension of Time to File Motion for Summary Judgment. Signed by Judge Tanya S. Chutkan on 9/8/15. (DJS) (Entered: 09/08/2015)
09/23/2015	<u>38</u>	Consent MOTION to Modify <i>the Court's August 21, 2015 Scheduling Order and to Set the Page Limit for Plaintiff's Combined Opposition and Motion for Partial Summary Judgment</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order)(Chasin, Steven) (Entered: 09/23/2015)
09/26/2015		MINUTE ORDER: Granting <u>38</u> Motion to Modify Scheduling Order. Plaintiff's Combined Opposition and Motion for Partial Summary Judgment shall be filed no later than Thursday, October 1, 2015; Defendant's Combined Opposition and Reply shall be filed no later than October 22, 2015; and Plaintiff's Reply shall be filed no later than November 3, 2015. Due to the unique circumstances of this case, that the page limit for Plaintiffs Combined Opposition and Motion for Partial Summary Judgment shall be set to 60 pages. Signed by Judge Tanya S. Chutkan on 9/26/15. (DJS) (Entered: 09/26/2015)

09/28/2015		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 10/1/2015. Reply to Motion for Summary Judgment due by 10/22/2015. Reply due by 11/3/2015. (zsm) (Entered: 09/28/2015)
10/01/2015	<u>39</u>	MOTION for Summary Judgment (<i>Partial</i>) and <i>Opposition to Defendant's Motion for Summary Judgment</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Memorandum in Support, # <u>3</u> Statement of Facts, # <u>4</u> Appendix, # <u>5</u> Exhibit Ex 1 – Part 1, # <u>6</u> Exhibit Ex 1 – Part 2, # <u>7</u> Exhibit Ex 1 – Part 3, # <u>8</u> Exhibit Exs 2 – 5, # <u>9</u> Exhibit Ex 6, # <u>10</u> Exhibit Ex 7 – 14, # <u>11</u> Exhibit Ex 15 – 20, # <u>12</u> Statement of Facts RESPONSE TO DEFENDANT'S STATEMENT OF MATERIAL FACTS FOR WHICH THERE IS NO GENUINE DISPUTE, AND PLAINTIFF'S STATEMENT OF GENUINE ISSUES)(Chasin, Steven) (Entered: 10/01/2015)
10/02/2015	<u>40</u>	ERRATA by PABLO CALDERON substituting redacted exhibit. See Attachment 6 to <u>39</u> Plaintiff's Partial Motion for Summary Judgment/Opposition filed by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit Ex 1 – Part 2 (redacted version))(Chasin, Steven) Modified on 10/6/2015 (DJS). (Entered: 10/02/2015)
10/02/2015	<u>41</u>	Memorandum in opposition to re <u>37</u> MOTION for Summary Judgment filed by PABLO CALDERON. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Appendix, # <u>3</u> Exhibit Ex 1 – Part 1, # <u>4</u> Exhibit Ex 1 – Part 2, # <u>5</u> Exhibit Ex 1 – Part 3, # <u>6</u> Exhibit Exs 2–5, # <u>7</u> Exhibit Ex 6, # <u>8</u> Exhibit Exs 7–14, # <u>9</u> Exhibit Exs 15–22, # <u>10</u> Statement of Facts Response to Defendant's Statement of Facts and Plaintiff's Statement of Issues)(Chasin, Steven) (Entered: 10/02/2015)
10/16/2015	<u>42</u>	Consent MOTION to Modify <i>The Court's September 26, 2015 Scheduling Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 10/16/2015)
10/18/2015		MINUTE ORDER: Granting <u>42</u> Consent Motion to Modify Briefing Schedule. Defendant's Reply and Opposition to Motion for Partial Summary Judgment due November 12, 2015. Plaintiff's Reply due December 4, 2015. The Court will view further requests for extensions with disfavor. Signed by Judge Tanya S. Chutkan on 10/18/15. (DJS) (Entered: 10/18/2015)
10/19/2015		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 11/12/2015. Reply to Motion for Summary Judgment due by 12/4/2015. (zsm) (Entered: 10/19/2015)
11/07/2015	<u>43</u>	MOTION to Modify <i>The Court's October 18, 2015 Scheduling Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 11/07/2015)
11/09/2015	<u>44</u>	Memorandum in opposition to re <u>43</u> MOTION to Modify <i>The Court's October 18, 2015 Scheduling Order</i> filed by PABLO CALDERON. (Chasin, Steven) (Entered: 11/09/2015)
11/09/2015		MINUTE ORDER granting <u>43</u> Motion to Modify Scheduling Order. Defendant's Reply and Opposition to Motion for Partial Summary Judgment shall be filed no later than December 2, 2015 and Plaintiff's Reply shall be filed no later than December 18, 2015. Signed by Judge Tanya S. Chutkan on 11/9/15. (lctsc2) (Entered: 11/09/2015)
11/10/2015		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 12/2/2015. Reply to Motion for Summary Judgment due by 12/18/2015. (zsm) (Entered: 11/10/2015)
12/01/2015	<u>45</u>	MOTION to Modify <i>November 9, 2015 Minute Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 12/01/2015)
12/02/2015	<u>46</u>	Memorandum in opposition to re <u>45</u> MOTION to Modify <i>November 9, 2015 Minute Order</i> filed by PABLO CALDERON. (Chasin, Steven) (Entered: 12/02/2015)
12/02/2015		ORDER granting <u>45</u> Motion to Modify. Defendant's Reply and Opposition to Motion for Partial Summary Judgment is now due on December 22, 2015 and Plaintiff's Reply is now due on January 15, 2016. Any further requests for extensions will only be granted in extraordinary circumstances, and after a hearing. Signed by Judge Tanya S. Chutkan on 12/2/15. (lctsc2) (Entered: 12/02/2015)

12/02/2015		Set/Reset Deadlines: Response to Motion for Summary Judgment due by 12/22/2015. Reply to Motion for Summary Judgment due by 1/15/2016. (zsm) (Entered: 12/03/2015)
12/22/2015	<u>47</u>	Memorandum in opposition to re <u>39</u> MOTION for Summary Judgment (<i>Partial</i>) and <i>Opposition to Defendant's Motion for Summary Judgment</i> filed by UNITED STATES DEPARTMENT OF AGRICULTURE. (Attachments: # <u>1</u> Statement of Facts, # <u>2</u> Declaration of Sally Klusaritz (Third), # <u>3</u> Declaration of Simon Brotheron (Third))(Truong, John) (Entered: 12/22/2015)
12/22/2015	<u>48</u>	REPLY to opposition to motion re <u>37</u> MOTION for Summary Judgment (<i>See ECF No. 47 for Statement of Facts and Declarations</i>) filed by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 12/22/2015)
01/15/2016	<u>49</u>	REPLY to opposition to motion re <u>39</u> MOTION for Summary Judgment (<i>Partial</i>) and <i>Opposition to Defendant's Motion for Summary Judgment</i> filed by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Chasin, Steven) (Entered: 01/15/2016)
05/24/2016		MINUTE ORDER. By no later than 5:00pm on Friday, May 27, 2016, Defendant shall file a Notice of no more than three pages apprising the court of its position regarding Plaintiff's claims in Part III of his reply brief (ECF No. 49) that (i) shippers, product amounts and product weights redacted from the bills of lading produced to Plaintiff can be determined by cross-referencing information which has not been redacted from those bills of lading against the PIERS database; and that (ii) because "foreign banks' LC Documentary Credit Numbers on the LC advice documents" produced to Plaintiff were not redacted, "the identity of the bank can be discerned from th[at] number alone" because "each bank has a distinctive format for such numbers." Signed by Judge Tanya S. Chutkan on 5/24/16. (lctsc2) (Entered: 05/24/2016)
05/25/2016		Set/Reset Deadlines: Notice due by 5/27/2016. (zsm) (Entered: 05/25/2016)
05/27/2016	<u>50</u>	Consent MOTION for Extension of Time to <i>File Notice</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 05/27/2016)
05/31/2016		MINUTE ORDER: Granting <u>50</u> Consent Motion for Extension of Time to File Notice. By June 10, 2016, Defendant shall file a Notice that complies with this court's 05/24/2016 Minute Order. Signed by Judge Tanya S. Chutkan on 5/31/16. (DJS) (Entered: 05/31/2016)
05/31/2016		Set/Reset Deadlines: Notice due by 6/10/2016. (zsm) (Entered: 05/31/2016)
06/10/2016	<u>51</u>	NOTICE by UNITED STATES DEPARTMENT OF AGRICULTURE re Order,,, (Attachments: # <u>1</u> Declaration)(Truong, John) (Entered: 06/10/2016)
09/25/2016		VACATED PURSUANT TO ORDER DATED 9/28/16.....MINUTE ORDER: A Motion Hearing is hereby set for 10/21/2016 at 02:00 PM in Courtroom 2, at which the court will hear argument on the parties' motions <u>37</u> <u>39</u> for summary judgment. Signed by Judge Tanya S. Chutkan on 9/25/16. (DJS) Modified on 9/29/2016 (zsm). (Entered: 09/25/2016)
09/26/2016		Set/Reset Hearings: Motion Hearing set for 10/21/2016 at 02:00 PM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 09/26/2016)
09/28/2016	<u>52</u>	Consent MOTION to Modify <i>the Court's September 25, 2016 Minute Order and Reschedule the Summary Judgment Motions Hearing</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order)(Chasin, Steven) (Entered: 09/28/2016)
09/28/2016		MINUTE ORDER granting <u>52</u> consent motion to reschedule hearing. The hearing previously scheduled for 10/21/2016 is VACATED and hereby rescheduled for 12/7/2016 at 2:00 p.m. in Courtroom 2. Signed by Judge Tanya S. Chutkan on 9/28/2016. (lctsc2) (Entered: 09/28/2016)
09/29/2016		Set/Reset Hearings: Motion Hearing set for 12/7/2016 at 2:00 PM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 09/29/2016)
10/17/2016		MINUTE ORDER: Due to a conflict with the court's schedule, the hearing previously scheduled for 12/7/2016 at 2:00 p.m. in Courtroom 2 is hereby VACATED and RESCHEDULED for 12/14/2016 at 10:00 a.m. Signed by Judge Tanya S. Chutkan on

		10/17/2016. (lctsc2) (Entered: 10/17/2016)
10/17/2016		Set/Reset Hearings: Motion Hearing set for 12/14/2016 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (zsm) (Entered: 10/17/2016)
12/14/2016		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Motion Hearing held on 12/14/2016 re <u>37</u> MOTION for Summary Judgment filed by UNITED STATES DEPARTMENT OF AGRICULTURE, and <u>39</u> MOTION for Summary Judgment (Partial) and Opposition to Defendant's Motion for Summary Judgment filed by PABLO CALDERON. Motions taken under advisement. (Court Reporter Elizabeth Saint_Loth.) (zsm) (Entered: 12/14/2016)
02/10/2017	<u>53</u>	TRANSCRIPT OF MOTION HEARING before Judge Tanya S. Chutkan held on 12-14-2016; Page Numbers: 1 - 47. Date of Issuance:02-10-2017. Court Reporter/Transcriber Elizabeth Saint-Loth, Telephone number 302-354-3242, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi-page, condensed, CD or ASCII) may be purchased from the court reporter.<P> NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty-one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P>Redaction Request due 3/3/2017. Redacted Transcript Deadline set for 3/13/2017. Release of Transcript Restriction set for 5/11/2017.(Saint-Loth, Elizabeth) (Entered: 02/10/2017)
02/21/2017	<u>54</u>	MEMORANDUM AND OPINION re <u>37</u> Defendant's motion for summary judgment and <u>39</u> Plaintiff's cross-motion for summary judgment. Signed by Judge Tanya S. Chutkan on 2/21/2017. (lctsc2) (Entered: 02/21/2017)
02/21/2017	<u>55</u>	ORDER granting in part and denying in part <u>37</u> Defendant's Motion for Summary Judgment; granting in part and denying in part <u>39</u> Plaintiff's Motion for Summary Judgment. A status conference is hereby set for 3/7/2017 at 3:30 p.m. in Courtroom 2. The parties are ORDERED to submit a joint status report with a proposed schedule for moving forward with this matter by 5:00 p.m. on 3/6/2017. Signed by Judge Tanya S. Chutkan on 2/21/2017. (lctsc2) (Entered: 02/21/2017)
02/22/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 5:00 p.m. on 3/6/2017. Status Conference set for 3/7/2017 at 03:30 PM in Courtroom 2 before Judge Tanya S. Chutkan. (tb) (Entered: 02/22/2017)
03/03/2017	<u>56</u>	Joint MOTION for Extension of Time to File <i>Joint Status Report and to Reschedule the Status Conference</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order)(Chasin, Steven) (Entered: 03/03/2017)
03/03/2017		MINUTE ORDER granting <u>56</u> Parties' Joint Motion for Extension of Time to File. The status conference previously scheduled for 3/7/2017 at 3:30 p.m. is hereby VACATED and RESCHEDULED for 4/6/2017 at 10:00 a.m. in Courtroom 2. Parties are ordered to file their joint status report by 5:00 p.m. on 4/4/2017. Signed by Judge Tanya S. Chutkan on 3/3/2017. (lctsc2) (Entered: 03/03/2017)
03/03/2017		Set/Reset Deadlines/Hearings: Joint Status Report due by 5:00 p.m. on 4/4/2016. Status Conference set for 4/6/2017 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (tb) (Entered: 03/03/2017)
03/10/2017	<u>57</u>	Consent MOTION to Continue <i>Status Conference and to Allow for Participation in the Status Conference Telephonically</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 03/10/2017)
03/15/2017		MINUTE ORDER: Granting Defendant's Consent Motion <u>57</u> to Reschedule. The April 6, 2017 Status Conference is hereby RESCHEDULED to April 27, 2017 at 10:00 a.m. in Courtroom 2. Mr. Douglas Sanders and Mr. Pablo Calderon may participate in the conference telephonically. Those participating by telephone shall contact the court's

		Courtroom Deputy at least three business days PRIOR to the date of the call to make the appropriate arrangements. Signed by Judge Tanya S. Chutkan on 3/15/17. (DJS) (Entered: 03/15/2017)
03/15/2017		Set/Reset Hearings: Status Conference RESCHEDULED to 4/27/2017 at 10:00 AM in Courtroom 2 before Judge Tanya S. Chutkan. (tb) (Entered: 03/15/2017)
04/04/2017	<u>58</u>	Joint STATUS REPORT by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Chasin, Steven) (Entered: 04/04/2017)
04/10/2017	<u>59</u>	NOTICE of Defendant's Supplemental Filing Relating to the Joint Status Report (ECF No. 58) by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 04/10/2017)
04/20/2017	<u>60</u>	NOTICE OF APPEAL TO DC CIRCUIT COURT as to <u>55</u> Order on Motion for Summary Judgment,,, <u>54</u> Memorandum & Opinion by UNITED STATES DEPARTMENT OF AGRICULTURE. Fee Status: No Fee Paid. Parties have been notified. (Truong, John) (Entered: 04/20/2017)
04/21/2017	<u>61</u>	Transmission of the Notice of Appeal, Order Appealed, and Docket Sheet to US Court of Appeals. The Court of Appeals docketing fee was not paid because the fee was an Appeal by the Government re <u>60</u> Notice of Appeal to DC Circuit Court. (jf) (Entered: 04/21/2017)
04/24/2017		MINUTE ORDER: In light of <u>60</u> Defendant's Notice of Appeal, the parties are hereby ORDERED to jointly submit by 4/26/2017 at 5:00 p.m. their respective positions in a single filing as to whether a stay of further proceedings is warranted given the overlap in legal issues and, if not, whether the appeal impacts their proposals for the case going forward. Signed by Judge Tanya S. Chutkan on 4/24/2017. (lctsc2) (Entered: 04/24/2017)
04/24/2017		Set/Reset Deadlines: Parties' respective positions as to whether to stay further proceedings due by 4/26/2017. (tb) (Entered: 04/24/2017)
04/26/2017		USCA Case Number 17-5088 for <u>60</u> Notice of Appeal to DC Circuit Court filed by UNITED STATES DEPARTMENT OF AGRICULTURE. (td) (Entered: 04/26/2017)
04/26/2017		MINUTE ORDER: The status conference scheduled for 4/27/2017 at 10:00 a.m. is hereby VACATED. The court will issue a separate Order rescheduling the hearing at a later date. Signed by Judge Tanya S. Chutkan on 4/26/2017. (lctsc2) (Entered: 04/26/2017)
04/26/2017	<u>62</u>	Joint STATUS REPORT by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Chasin, Steven) (Entered: 04/26/2017)
05/01/2017		MINUTE ORDER: The status hearing previously scheduled for 4/27/2017 is hereby RESCHEDULED for 5/19/2017 at 2:30 p.m. in Courtroom 2. As previously ordered, Mr. Douglas Sanders and Mr. Pablo Calderon may participate in the status hearing telephonically. Those participating by telephone shall contact the court's Courtroom Deputy at least three business days prior to the date of the call to make the appropriate arrangements. Signed by Judge Tanya S. Chutkan on 5/1/2017. (lctsc2) (Entered: 05/01/2017)
05/02/2017		Set/Reset Hearings: Status Conference reset for 5/19/2017 at 02:30 PM in Courtroom 2 before Judge Tanya S. Chutkan. (tb) (Entered: 05/02/2017)
05/09/2017		MINUTE ORDER: Due to a scheduling conflict, the status hearing previously rescheduled to 5/19/2017 is VACATED and RESCHEDULED for 5/16/2017 at 10:30 a.m. in Courtroom 2. As previously ordered, Mr. Douglas Sanders and Mr. Pablo Calderon may participate in the status hearing telephonically. Those participating by telephone shall contact the court's Courtroom Deputy at least three business days prior to the date of the call to make the appropriate arrangements. Signed by Judge Tanya S. Chutkan on 5/9/2017. (lctsc2) (Entered: 05/09/2017)
05/10/2017		Set/Reset Hearings: Status Conference set for 5/16/2017 at 10:30 AM in Courtroom 2 before Judge Tanya S. Chutkan. (tb) (Entered: 05/10/2017)

05/16/2017		Minute Entry for proceedings held before Judge Tanya S. Chutkan: Status Conference held on 5/16/2017. Order forthcoming as to clarification of the Court's previous orders entered in February. The parties shall meet and confer as to the documents discussed on the record, and if they cannot agree, they shall file their objections with the Court. As to further briefing, the parties shall confer and file a proposed schedule. (Court Reporter: Bryan Wayne.) (kt) (Entered: 05/16/2017)
05/22/2017		MINUTE ORDER: As stated in court at the status hearing held on 5/16/2017, the court hereby clarifies that (1) the scope of its 2/21/2017 Order regarding the application of Exemption 4 to transactional documents involving Russia and Ukraine applies to all such documents, including bills of lading relating to those countries and the names of shippers and pricing information included on those documents, and (2) the court's 2/21/2017 Order was not an injunction or final judgment. For the reasons stated in court, Defendant's request for a temporary stay is denied. The parties shall meet and confer to determine whether they can agree to a protective order for the use of certain documents in support of their renewed motions for summary judgment. The parties are directed to file a status report with the court with their proposal, or respective positions if no agreement is reached, as well as their proposed schedule for their renewed cross-motions for summary judgment. Signed by Judge Tanya S. Chutkan on 5/22/2017. (lctsc2) (Entered: 05/22/2017)
05/22/2017	<u>63</u>	<p>TRANSCRIPT OF 5/16/17 STATUS HEARING, before Judge Tanya S. Chutkan, held on May 16, 2017. Page Numbers: 1–17. Date of Issuance: May 22, 2017. Court Reporter: Bryan A. Wayne. Transcripts may be ordered by submitting the <u>Transcript Order Form</u></p> <p>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi–page, condensed, CD or ASCII) may be purchased from the court reporter.</p> <p>NOTICE RE REDACTION OF TRANSCRIPTS: The parties have twenty–one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.</p> <p>Redaction Request due 6/12/2017. Redacted Transcript Deadline set for 6/22/2017. Release of Transcript Restriction set for 8/20/2017.(Wayne, Bryan) (Entered: 05/22/2017)</p>
05/31/2017	<u>64</u>	MANDATE of USCA as to <u>60</u> Notice of Appeal to DC Circuit Court filed by UNITED STATES DEPARTMENT OF AGRICULTURE ; USCA Case Number 17–5088. (Attachments: # <u>1</u> USCA Order)(td) (Entered: 06/01/2017)
06/26/2017		MINUTE ORDER: By 7/12/17 the parties shall file a jointly proposed protective order and a joint proposal setting forth dates for the briefing of their renewed cross–motions for summary judgment. The parties' filing shall include proposed orders. In the event that the parties have not yet reached agreement, the parties shall file a joint status report updating the court as to their efforts to prepare a proposed protective order. Signed by Judge Tanya S. Chutkan on 6/26/17. (DJS) (Entered: 06/26/2017)
06/26/2017		Set/Reset Deadlines: Joint Proposed Protective Order and Proposed Briefing Schedule due by 7/12/2017. (tb) (Entered: 06/26/2017)
07/11/2017	<u>65</u>	Joint MOTION for Extension of Time to <i>File Status Report</i> by PABLO CALDERON (Sanders, Douglas) (Entered: 07/11/2017)
07/12/2017		MINUTE ORDER: Granting <u>65</u> Consent Motion for Extension of Time to File Joint Status Report. The Parties shall submit a Joint Status Report, including a proposed schedule and proposed order for moving forward with this matter by 5:00 PM EST on August 15, 2017. Signed by Judge Tanya S. Chutkan on 7/12/17. (DJS) (Entered: 07/12/2017)
07/13/2017		Set/Reset Deadlines: Joint Status Report due by 8/15/2017. (tb) (Entered: 07/13/2017)

08/15/2017	<u>66</u>	Joint MOTION for Extension of Time to <i>File Status Report</i> by PABLO CALDERON (Attachments: # <u>1</u> Exhibit Ex. 1 – Memorandum in Support of Motion to Modify Protective Order)(Sanders, Douglas) (Entered: 08/15/2017)
08/17/2017		MINUTE ORDER: Granting <u>66</u> Motion for Extension of Deadlines. The parties shall file a joint status report, including a proposed schedule for moving forward with this matter, by September 29, 2017. Signed by Judge Tanya S. Chutkan on 8/17/17. (DJS) (Entered: 08/17/2017)
08/22/2017		Set/Reset Deadlines: Joint Status Report due by 9/29/2017. (tb) (Entered: 08/22/2017)
09/28/2017	<u>67</u>	Joint MOTION for Extension of Time to <i>Submit Joint Status Report</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order)(Chasin, Steven) (Entered: 09/28/2017)
09/30/2017		MINUTE ORDER: Granting <u>67</u> Joint Motion for Extension of Time to File Status Report. The Parties shall submit a joint status report, including a proposed schedule for moving forward with this matter, by November 13, 2017. Signed by Judge Tanya S. Chutkan on 9/30/17. (DJS) (Entered: 09/30/2017)
10/03/2017		Set/Reset Deadlines: Joint Status Report due by 11/13/2017. (tb) (Entered: 10/03/2017)
11/13/2017	<u>68</u>	Joint MOTION for Extension of Time to <i>Submit Joint Status Report</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order)(Chasin, Steven) (Entered: 11/13/2017)
11/14/2017		MINUTE ORDER: Granting <u>68</u> Joint Motion for Extension of Deadlines. The Parties shall submit a Joint Status Report by January 12, 2018 and every 30 days thereafter. To the extent the status report includes a proposed briefing schedule, the parties shall attach a proposed order. Signed by Judge Tanya S. Chutkan on 11/14/17.(DJS) (Entered: 11/14/2017)
11/15/2017		Set/Reset Deadlines: Joint Status Report due by 1/12/2018. (tb) (Entered: 11/15/2017)
01/11/2018	<u>69</u>	Joint MOTION for Extension of Time to <i>Submit Status Report</i> by PABLO CALDERON (Sanders, Douglas) (Entered: 01/11/2018)
01/16/2018		Minute ORDER: Granting <u>69</u> Joint Motion for Extension of Time to File Joint Status Report. The parties shall file a joint status report by January 26, 2018 and every 60 days thereafter. If the joint status report contains a proposed briefing schedule the parties shall also submit a proposed order. Signed by Judge Tanya S. Chutkan on 1/16/18. (DJS) (Entered: 01/16/2018)
01/17/2018		Set/Reset Deadlines: Joint Status Report due by 1/26/2018. (tb) (Entered: 01/17/2018)
01/22/2018	<u>70</u>	Consent MOTION to Stay <i>All Proceedings In Light of Lapse of Appropriations</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 01/22/2018)
01/23/2018		MINUTE ORDER: Finding as moot <u>70</u> Motion to Stay. The parties shall file a joint status report by February 1, 2018 and every 60 days thereafter. To the extent the status report contains a proposed briefing schedule, the parties shall attach a proposed order. Signed by Judge Tanya S. Chutkan on 1/23/18. (DJS) (Entered: 01/23/2018)
01/24/2018		Set/Reset Deadlines: Joint Status Report due by 2/1/2018. (tb) (Entered: 01/24/2018)
01/30/2018	<u>71</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 01/30/2018)
02/14/2018	<u>72</u>	MOTION to Reassign Case <i>Designated as Related</i> by PABLO CALDERON (Attachments: # <u>1</u> Text of Proposed Order, # <u>2</u> Exhibit A, # <u>3</u> Exhibit B, # <u>4</u> Exhibit C)(Chasin, Steven) (Entered: 02/14/2018)
02/15/2018	<u>73</u>	ERRATA Regarding Exhibits B and C to Motion for Reassignment of Designated Related Case by PABLO CALDERON <u>72</u> MOTION to Reassign Case <i>Designated as Related</i> filed by PABLO CALDERON. (Attachments: # <u>1</u> Exhibit B, # <u>2</u> Exhibit C)(Chasin, Steven) (Entered: 02/15/2018)

02/17/2018		MINUTE ORDER denying <u>72</u> Motion to Reassign Case. Signed by Judge Tanya S. Chutkan on 2/17/18. (DJS) (Entered: 02/17/2018)
04/02/2018	<u>74</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 04/02/2018)
06/04/2018	<u>75</u>	Joint STATUS REPORT by PABLO CALDERON. (Chasin, Steven) (Entered: 06/04/2018)
08/03/2018	<u>76</u>	Joint STATUS REPORT by PABLO CALDERON. (Chasin, Steven) (Entered: 08/03/2018)
10/02/2018	<u>77</u>	Joint STATUS REPORT by PABLO CALDERON. (Chasin, Steven) (Entered: 10/02/2018)
12/03/2018	<u>78</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 12/03/2018)
03/04/2019	<u>79</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 03/04/2019)
05/10/2019	<u>80</u>	Joint STATUS REPORT by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 05/10/2019)
07/09/2019	<u>81</u>	Joint STATUS REPORT by PABLO CALDERON. (Chasin, Steven) (Entered: 07/09/2019)
08/08/2019	<u>82</u>	Joint STATUS REPORT <i>and Proposed Order</i> by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 08/08/2019)
08/26/2019		MINUTE ORDER: Having considered the parties' joint status report <u>82</u> , it is hereby ordered, that if necessary, the following schedule shall govern the parties' submissions with respect to FOIA Exemption (b)(4), based on the Supreme Court's recent decision in Food Marketing Inst. v. Argus Leader Media, 588 U.S. —, 139 S. Ct. 2356 (U.S.): Defendant's motion to reconsider due on October 8, 2019. Plaintiff's response due on November 1, 2019. Defendant's reply due on November 14, 2019. Signed by Judge Tanya S. Chutkan on 8/26/19. (DJS) (Entered: 08/26/2019)
08/27/2019	<u>83</u>	NOTICE of Settlement <i>in Principle</i> by UNITED STATES DEPARTMENT OF AGRICULTURE (Truong, John) (Entered: 08/27/2019)
08/27/2019		Set/Reset Deadlines: Defendant's motion for reconsideration due by 10/8/2019. Response due by 11/1/2019 Reply due by 11/14/2019. (tb) (Entered: 08/27/2019)
10/01/2019	<u>84</u>	STIPULATION <i>of Settlement and Dismissal</i> by UNITED STATES DEPARTMENT OF AGRICULTURE. (Truong, John) (Entered: 10/01/2019)